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General Assembly

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Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Letter dated 13 June 2012 from the Secretary-General addressed to the President of the General Assembly

In accordance with the provision of paragraph 6 (h) of General Assembly resolution ES-10/17 adopted 15 December 2006, I have the honour to transmit herewith a progress report from the Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the General Assembly.

(*Signed*) **BAN** Ki-moon

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Annex

Letter dated 8 June 2012 from the members of the Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory addressed to the Secretary-General

We have the honour to provide a progress report of the Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory for transmission to the General Assembly in accordance with paragraph 6 (h) of resolution ES-10/17 (see enclosure).

(*Signed*) Ronald **Bettauer**
Member of the Board

(*Signed*) Harumi **Hori**
Member of the Board

(*Signed*) Matti **Pellonpää**
Member of the Board

Enclosure

Progress report from the Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory

1. The Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory (the Register of Damage) provides this progress report, in accordance with paragraph 6 (h) of General Assembly resolution ES-10/17, covering the period from 11 June 2011 to 8 June 2012. The Board's previous report was contained in document A/ES-10/522 of 12 July 2011.

2. During the reporting period, the Register of Damage continued to collect, process and consider claim forms for inclusion in the Register in accordance with its Rules and Regulations Governing Registration of Claims adopted in June 2009 (see www.unrod.org/docs/UNRoD Rules and Regulations.pdf).

3. Since its launch in 2008, the community outreach campaign has been completed in 110 communities with a population of approximately 415,000 in the governorates of Jenin, Tubas, Tulkarem, Qalqiliya and Salfit in the Occupied Palestinian Territory, as well as in some communities around East Jerusalem. Thousands of printed posters and leaflets were distributed to inform potential claimants of the requirements for completing a claim for registration of damage. In addition, over a hundred meetings were held during the reporting period by the Register of Damage claim intakers with governors, mayors, local councils and potential claimants in the areas covered by the outreach campaign.

4. By 8 June 2012, a total of 28,310 claim forms for registration of damage and over 320,000 supporting documents had been collected in 98 Palestinian communities and delivered to the Office of the Register of Damage in Vienna. Claim intake activities have been completed in four out of nine affected governorates — Tubas, Jenin, Tulkarem and Qalqiliya — and are ongoing in Salfit governorate.

5. As of 8 June 2012, the Board has reviewed 6,316 claim forms, decided to include most or all of the losses set out in 5,524 claim forms, excluded 476 claim forms where none of the losses met the eligibility criteria and decided to defer action on 316 claim forms pending further review.

6. There is thus a considerable gap between the number of claim forms collected and the number processed by the Vienna Office of the Register of Damage and included in the Register by the Board. This gap is likely to continue to grow, given the small size of the staff of the Vienna Office and the complexity of the Board's task of reviewing claims.

7. Since its previous report, the Board has held four meetings in Vienna to review claim forms that had been translated, processed and reviewed by the Office staff. The Board met from 12 to 16 September 2011, from 12 to 16 December 2011, from 5 to 9 March 2012 and from 4 to 8 June 2012. At the four meetings, respectively, the Board reviewed and decided to include in the Register most or all of the losses set out in 424 claim forms, 399 claim forms, 826 claim forms and 898 claim forms. At its September, December, March and June meetings, respectively, the Board decided

not to include in the Register 1 claim form, 23 claim forms, 95 claim forms and 84 claim forms, since none of the losses in the forms met the eligibility criteria in the Register of Damage's Rules and Regulations. At its December, March and June meetings, respectively, the Board also decided to defer action on 215 claim forms, 90 claim forms, and 5 claims forms pending further review.

8. All claims reviewed during the reporting period were filed by individuals. The forms included 2,565 claims for category A (agriculture) losses, 88 claims for category B (commercial) losses, 19 claims for category C (residential) losses, and 199 claims for category E (access to services) losses.

9. The Board, in its review of claims, continued to apply the eligibility criteria in accordance with article 11 of the Rules and Regulations Governing Registration of Claims. The Board continued to employ sampling techniques, as provided for in article 12(3) of the Rules and Regulations. In this regard, the Board has initiated consultations with a statistician in order to review the sampling methodology it applies. Claims that did not meet the eligibility criteria were either excluded from the Register or returned to the claimants in order for them to provide clarification.

10. The majority of claims reviewed by the Board during the reporting period were category A (agricultural) claims from various locations in the Occupied Palestinian Territory.

11. The Board continued its exploration of difficult issues of local rules, practice and documentation relating to the ownership, inheritance of land in the Occupied Palestinian Territory, in order to determine whether the claimant had a prima facie legal interest in land and the claimant's share. Complex fractional calculations continued to be necessary in cases where there were multiple owners in order to record a claimant's specific share of the losses to be included in the Register.

12. Paragraph 8 of the Board's 2011 report identified some of the issues addressed and decisions reached during the previous reporting period. The following are among the issues addressed and decisions reached by the Board during the present reporting period.

General

(a) The Board decided that each claim to be registered, even if submitted along with a group of similar claims, must itself contain a sufficiently clear and accurate reference to the documents and evidence asserted to support the claim (which can be by incorporating materials in another claim by reference).

Category A (agricultural) claims

(b) The Board decided that claims for complete loss of access to land as a result of the construction of the Wall could be included in the Register in cases where claimants could, until the construction of the Wall, access land that had not at the time been subject to a requisition order but, for other reasons, those claimants were not able to utilize the land prior to the construction of the Wall.

(c) The Board decided that, in general, when registering a loss, the size of a claimed plot will be recorded as stated in a land record clearly

documenting its size even if different from claimant's assertion of its size except that (i) a plot size larger than that claimed will not be recorded, and (ii) where a document submitted by the claimant states a size different from in the land record, the plot's size will be recorded as unclear.

Category B (commercial) claims

(d) The Board decided not to include in the Register commercial claims where no evidence of the existence and the claimant's ownership of the business before or at the time of the Wall was provided.

(e) The Board decided that a claimant's interest in a business can be demonstrated by means other than business documentation, e.g., by clearly identifiable photographs, but that such cases need to be examined on a case-by-case basis.

Category C (residential) claims

(f) The Board decided that losses for relocation in order to access educational establishments should be registered under category C, irrespective of which categories they have been claimed under.

(g) The Board decided that the threat of demolition of a residential property did not constitute a material loss that could be included into the Register.

Category E (access to services) claims

(h) The Board decided that losses relating to restricted access to education by persons in the Seam Zone could be included in the Register even though enrolment in the educational establishment occurred after the construction of the Wall, where the Wall necessarily impeded the access of the claimant to the educational establishment.

(i) The Board decided that, in general, claims solely for additional living costs are too speculative to be registered.

(j) The Board decided not to include losses attributable to independent actions of soldiers at checkpoints connected to the Wall as they were intervening acts which broke the causal link to the construction of the Wall.

(k) In relation to claims for additional transportation caused by the construction of the Wall, the Board checked the claims against estimates of the time it would usually take to travel various distances before and after the construction of the Wall.

13. As before, the Board would like to express its appreciation for the indispensable cooperation extended by the Palestinian Authority and the Palestinian National Committee for the Register of Damage, as well as for the support provided by local Governors, mayors and members of village councils on many practical aspects, without which outreach and claim-intake activities could not be undertaken successfully. In March 2012, the Executive Director of the Office of the Register, Mr. Vladimir Goryayev, visited the Occupied Palestinian Territory and held in-depth consultations about the Register of Damage's activities with officials from the Palestinian Authority, including Prime Minister Salam Fayyad who expressed his

appreciation for the results achieved so far by the Register of Damage. The Executive Director also visited areas affected by the construction of the Wall where he held meetings with governors, mayors, local councils and claimants. All of them expressed appreciation for the work being done by the Office of the Register of Damage.

14. As for the Government of Israel, it continues to consider that any claims in relation to damage caused by the construction of the Wall should be addressed through the existing Israeli mechanism. On the practical level, the Executive Director of the Register of Damage continues to maintain constructive contacts with relevant Israeli authorities and, during the reporting period, the Office of the Register of Damage did not experience any problem with access, freedom of movement, security, delivery of needed materials or issuance of required visas.

15. The Board of the Register of Damage notes with satisfaction the good cooperation with United Nations agencies and offices present on the ground in the Occupied Palestinian Territory, as called upon in paragraph 14 of General Assembly resolution ES-10/17. The Board particularly appreciates the efficient and tangible contribution provided by the United Nations Office for Project Services in the areas of logistic, procurement, human and financial resources, and management in support of the Register of Damage. During the reporting period, the Register of Damage also continued to benefit from cooperation with the United Nations Special Coordinator for the Middle East Peace Process and his Office.

16. The outreach and claim-intake activities in the Occupied Palestinian Territory, which are currently conducted by 12 Register of Damage claims intakers, have since their initiation been funded by voluntary contributions from the Governments of Austria, Belgium, Finland, France, Jordan, Kazakhstan, Malaysia, Morocco, Norway, the Philippines, Turkey, Saudi Arabia, Switzerland and the Organization of Petroleum Exporting Countries Fund for International Development. The Board expresses its appreciation to these donors for providing funding and political support enabling the implementation of the provisions of General Assembly resolution ES-10/17.

17. Nevertheless, the funding situation in support of the activities carried out in the Occupied Palestinian Territory remains uncertain. The resources that are currently available will be exhausted by the end of October 2012, thus putting into question the continuation of the claim intake in the Occupied Palestinian Territory.

18. The Board commends the diligent and dedicated work of the secretariat.

19. The Board of the Register of Damage will continue to provide periodic reports.

Members of the Board of the Register of Damage

Vienna, 8 June 2012

Annex

Letter dated 14 June 2013 from the members of the Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory addressed to the Secretary-General

We have the honour to provide the progress report of the Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory for transmission to the General Assembly in accordance with paragraph 6 (h) of Assembly resolution ES-10/17 (see annex).

We request that the progress report be issued as a document of the General Assembly. Our 2009, 2010, 2011 and 2012 progress reports were issued as documents A/ES-10/455, A/ES-10/498, A/ES-10/522 and A/ES-10/598, respectively.

(*Signed*) Ronald **Bettauer**
Member of the Board

(*Signed*) Harumi **Hori**
Member of the Board

(*Signed*) Matti **Pellonpää**
Member of the Board

Enclosure

Progress report from the Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory

1. The Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory (the Register of Damage) provides this progress report, in accordance with paragraph 6 (h) of General Assembly resolution ES-10/17, covering the period from 9 June 2012 to 14 June 2013. Our 2009, 2010, 2011 and 2012 progress reports were contained in documents A/ES-10/455 (2009), A/ES-10/498 (2010), A/ES-10/522 (2011), and A/ES-10/598 (2012), respectively. Board progress reports, as well as other basic documents pertinent to the work of the Register of Damage, are posted on the Register's website, www.unrod.org.

2. During the reporting period, the Register of Damage continued to collect, process and consider claim forms for inclusion in the Register in accordance with its Rules and Regulations Governing Registration of Claims.

3. Since its launch in 2008, the community outreach campaign has covered 176 communities with a population of approximately 629,170 in the governorates of Jenin, Tubas, Tulkarem, Qalqiliya, Salfit, Ramallah and Hebron in the Occupied Palestinian Territory, as well as in some communities around East Jerusalem. Thousands of printed posters and leaflets were distributed to inform potential claimants of the requirements for completing a claim for registration of damage. In addition, over a hundred meetings were held during the reporting period by the Register of Damage claim intakers with governors, mayors, local councils and potential claimants in the areas covered by the outreach campaign.

4. By 14 June 2013, over 36,803 claim forms for registration of damage and over half a million of supporting documents had been collected and delivered to the Office of the Register of Damage in Vienna. Claim intake activities have been completed in five out of nine affected governorates — Tubas, Jenin, Tulkarem, Qalqiliya, Salfit — nearly completed in Ramallah and ongoing in Hebron.

5. As of 14 June 2013, the Board has decided to include most or all of the losses set out in 8,418 claim forms, and excluded 576 claim forms where none of the losses met the eligibility criteria, bringing the total number of decided claims to 8,994.

6. Despite the diligent and dedicated work of the secretariat, there is a considerable gap between the number of claim forms collected and processed by the Vienna Office of the Register of Damage. This gap is likely to grow, given the small size of the staff of the Vienna Office and the complexity of the Board's task of reviewing claims.

7. Since its previous report, the Board has held four meetings in Vienna to review claim forms that had been translated, processed and individually reviewed by the Office staff. The Board met from 10 to 14 September 2012, from 10 to 14 December 2012, from 18 to 22 March 2013 and from 10 to 14 June 2013. At the four meetings, respectively, the Board reviewed and decided to include in the Register most or all of the losses set out in 631 claim forms, 761 claim forms, 741 claim forms and 762 claim forms. At its September, December, March and June meetings,

respectively, the Board decided not to include in the Register 68 claim forms, 10 claim forms, 14 claim forms and 8 claim forms, since none of the losses in the forms met the eligibility criteria in the Register of Damage's Rules and Regulations. At its September, December, March and June meetings, respectively, the Board also decided to defer action on 9 claim forms, 8 claim forms, 4 claim forms, and 1 claim form pending further review.

8. The claim forms reviewed during the reporting period included 2,662 claims for category A (agriculture) losses, 258 claims for category B (commercial) losses, 14 claims for category C (residential) losses, and 141 claims for category E (access to services) losses.

9. The Board, in its review of claims, continued to apply the eligibility criteria in accordance with article 11 of the Rules and Regulations Governing Registration of Claims. In view of the limited time available and the large number of claims for losses included in claim forms submitted to the Board for review by the Office staff, the Board continued to employ sampling techniques, as provided for in article 12 (3) of the Rules and Regulations. For example, during its June 2013 meeting, Board members reviewed in detail approximately 8 per cent of representative claims for losses included on the claim forms submitted for its review. As indicated in the 2012 Board report, a statistician was consulted concerning the sampling methodology; he advised that this level of sampling is reliable. Claims that did not meet the eligibility criteria were either excluded from the Register or returned to the claimants in order for them to provide clarification.

10. The Board continued its exploration of difficult issues of local rules, practice and documentation relating to the ownership, inheritance of land in the Occupied Palestinian Territory, in order to determine whether the claimant had a prima facie legal interest in land and the claimant's share. Complex fractional calculations continued to be necessary in cases where there were multiple owners in order to record a claimant's specific share of the losses to be included in the Register. Difficulties caused by the use of different names (e.g., tribal name, family name, great-grandfather's name) for members of the same family and other such apparent inconsistencies often necessitate special vigilance in the verification of the legal interest.

11. Paragraph 12 of the Board's 2012 report identified some of the issues addressed and decisions reached during the previous reporting period. The following are among the issues and decisions reached by the Board during the present reporting period.

(a) Claims for damage resulting from fires: The Board decided to include in the Register claims for loss resulting from fires that broke out after the construction of the Wall between the Green Line and the Wall. In this regard, the Board decided to record the resulting losses of crops, produce and income, since it was a reasonably foreseeable consequence of construction of the Wall that farmers would no longer be able to access their land or tend to it as before, and a significant increase in the number of fires and the level of fire damage would occur (irrespective of the initiating cause of the fire). It was noted that there were three fires reported in Qaffin and Akkaba villages (the main areas from which these claims originate) between 1990 and 1992, none at all between 1993 and 2004, and then 26 between 2005 and 2012. Claimants stated that they were prevented by the Wall from tending their land, removing undergrowth that would spread fires, and

being present to protect against potential arsonists and other threats. In addition, they stated that because of the Wall, fire brigades could not reach and extinguish fires that started. The Board would stress that it has based the causal link between the Wall and fire-related losses, as required by article 11 (2) of the United Nations Register of Damage's Rules and Regulations, on the foreseeability test, not on the application of any benefit of the doubt or on a "significant factor" test.

(b) Land purchased or inherited after construction of the Wall: The Board decided not to register claims where the claimant had acquired the land in question in an apparently arms-length purchase after the construction of the Wall, thus not having a legal interest in the claim at the time the loss was incurred and not showing the construction of the Wall as the direct cause of loss. The Board also decided that where a claimant only inherited his rights with respect to the land after construction of the Wall, typically as an heir of one of his relatives, without further explanation, his legal interest only arises at the later time. However, the Board decided to register claims where the claimant acquired the land from a close family member through a sale, purchase, or transfer transaction since research indicated that families typically worked the land as a family group and sometimes such a transaction would be entered into to facilitate an application to the Israeli for a permit to cross the Wall to work on land on the Israeli side of the Wall.

(c) Changed route of the Wall: Where the route of the Wall was changed so that land previously inaccessible became accessible, the Board decided to record that access was restricted or lost only for the period in question and only registered losses attributable to that period. The Board decided to record losses after that period where there was continuing damage to the land after the re-routing of the Wall, such as a security road that had been constructed as part of the Wall complex.

(d) Claims based solely on increased or decreased prices: The Board decided that claims for income losses based solely on increased prices of certain goods or decreased prices of produce will not be included in the Register because causation is too speculative.

(e) Claims for loss of access to land involving proxies: The Board decided that, where a claimant previously accessed his land between the Green Line and the Wall through proxies and those proxies have completely lost access, loss of access will be included in the Register.

(f) Claims for cost of workers: The Board decided to register claims for the cost of workers where claimants, having lost access to their land between the Green Line and the Wall, employed workers to cultivate their land. In such cases, the Board decided to register loss of produce and income only where there was a credible explanation provided by the claimant that such losses were incurred despite having workers on the land, and where the losses were caused by the construction of the Wall.

(g) Sharecropping agreements: Some claimants had oral agreements with third parties to cultivate land owned by the third parties, which were formalized into written contracts sometime after the construction of the Wall. The Board decided to register claims for agricultural losses sustained by these claimants since it was understood that oral agreements were commonplace in the region and that some transactions were formalized after the construction of the Wall to facilitate the

application for permits to cross the Wall to work on land on the other side of the Wall.

(h) Claims related to interruptions in university studies: Some claimants who enrolled in universities after construction of the Wall claimed for losses relating to temporary interruption of their studies some time thereafter, stating that they could not continue because of the high cost of travel or the delays at Wall gates; some of these claimants resumed their studies and others did not. The Board decided to defer these claims pending further consideration.

(i) Legal interest based on contractual rights and commercial law: The Board decided that where a claimant's legal interest in a claim is based on a contract, the issue should be determined under contract law and not on the basis of a benefit of the doubt. The Board decided to explore the matter of applicable contract and commercial law further during the upcoming year.

12. As before, the Board would like to express its appreciation for the indispensable cooperation extended by the Palestinian Authority and the Palestinian National Committee for the Register of Damage, as well as for the support provided by local Governors, mayors and members of village councils on many practical aspects, without which outreach and claim-intake activities could not be undertaken successfully. As for the Government of Israel, it continues to consider that any claims in relation to damage caused by the construction of the Wall should be addressed through the existing Israeli mechanism. On the practical level, the Executive Director of the Register of Damage continues to maintain constructive contacts with relevant Israeli authorities and, during the reporting period, the Office of the Register of Damage did not experience any problem with access, freedom of movement, security, delivery of needed materials or issuance of required visas.

13. The Board of the Register of Damage notes with satisfaction the good cooperation with United Nations agencies and offices present on the ground in the Occupied Palestinian Territory, as called upon in paragraph 14 of General Assembly resolution ES-10/17. The Board particularly appreciates the efficient and tangible contribution provided by the United Nations Office for Project Services in the areas of logistic, procurement, human and financial resources, and management in support of the Register of Damage. During the reporting period, the Register of Damage also continued to benefit from cooperation with the United Nations Special Coordinator for the Middle East Peace Process and his Office.

14. The outreach and claim-intake activities in the Occupied Palestinian Territory, which are currently conducted by 12 Register of Damage claims intakers, have since their initiation been funded by voluntary contributions from the Governments of Austria, Azerbaijan, Belgium, Finland, France, Jordan, Kazakhstan, Malaysia, Morocco, the Netherlands, Norway, the Philippines, Qatar, Saudi Arabia, Switzerland, Turkey and the OPEC Fund for International Development (OFID). Note may be taken that several governments as well as OFID have provided donations twice.

15. The Board would like to express its appreciation to these donors for providing funding and political support enabling the implementation of the provisions of General Assembly resolution ES-10/17. Nevertheless, the resources that are currently available will be exhausted by the end of November 2013, thus putting

into question the continuation of the claim intake activity in the Occupied Palestinian Territory.

16. The Board commends the diligent and dedicated work of the secretariat.

17. The Board of the Register of Damage will continue to provide periodic reports.

Members of the Board of the Register of Damage

Vienna, 14 June 2013

United Nations A/ES-10/600–S/2013/487

General Assembly
Security Council

Distr.: General
14 August 2013

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-eighth year

Identical letters dated 13 August 2013 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

Regrettably, Israel, the occupying Power, has continued its illegal settlement activities throughout the land of the State of Palestine, confirming to the international community yet again Israel's rejection of the path of peace, and confirming its desire to maintain the status of an occupying Power. Settlement activities have continued since the parties reached an agreement to resume negotiations after extensive efforts by the international community, particularly the United States, which were announced in Washington on 30 July 2013.

Here, we reiterate the international community's position that all settlement activities carried out by Israel are illegal, whether in the so-called "outposts" or "blocs", in Occupied East Jerusalem or anywhere else in the Occupied Palestinian Territory, the territory constituting the State of Palestine. This position is confirmed in relevant United Nations resolutions, the Advisory Opinion of the International Court of Justice of 9 July 2004, the Fourth Geneva Convention and the Rome Statute of the International Criminal Court.

Since the announcement by the parties of the resumption of negotiations, Israel has advanced approval of over 2,850 settlement units, and the confiscation of hundreds of dunums of Palestinian land, continuing to expand its settlement enterprise throughout the Occupied Palestinian Territory, including East Jerusalem. The latest announcement by Israel was made on 12 August 2013, on the eve of the resumption of negotiations, for the construction of 891 settlement units and plans for 300 additional units in the illegal settlement of "Gilo" on the lands of the city of Beit Jala, near Bethlehem.

It is imperative for the international community to continue to send clear and strong messages to Israel, through collective and concerted efforts, that Israeli settlement activities and peace are irreconcilable. The international community must hold Israel accountable for its illegal policies and practices, its intransigence and

crimes perpetuated against the Palestinian people. Israel must uphold its obligations, as an occupying Power, under international law in order to achieve the long-standing objectives of the peace process to salvage the two-State solution based on the well-known terms of reference, including the Arab Peace Initiative.

This letter is in follow-up to our previous 469 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 28 June 2013 (A/ES-10/597-S/2013/385) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador, Permanent Observer of the
State of Palestine to the United Nations

United Nations A/ES-10/601–S/2013/505

General Assembly
Security Council

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26 August 2013

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-eighth year

Identical letters dated 23 August 2013 from the Permanent Observer Mission of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

Despite the efforts aimed at salvaging the two-State solution and reviving negotiations, Israel, the occupying Power, continues its illegal settlement activities throughout the land of the State of Palestine and continues other provocative and illegal actions that signal yet again Israel's rejection of the path of peace and its stratagem for occupation, annexation and domination of the Palestinian people. Illegal actions by the Israeli occupying forces and extremist Israeli settlers continue to highlight Israel's true stance regarding the two-State solution and its endless attempts to squander it.

Since last week, Israel, the occupying Power, has generated new settlement activity, continued to pursue the policy of demolition of Palestinian homes and property and turned a blind eye to settler violence and terror. Specifically, Israeli occupying forces raided the Jenin refugee camp, killing 22-year-old Majd Lahlouh and injuring three others. On 10 August 2013, Israeli occupying forces shot and killed 30-year-old Hussein Abdul-Hadi Awadallah east of the Gaza Strip and, on 20 August 2013, Israeli occupying forces shot and injured two young Palestinians in the Gaza Strip — Loai al-Mabhouh, age 14, and Hussein Abu Attia, age 22. Israeli occupying forces invaded the Balata refugee camp in Nablus with hundreds of extremist Israeli settlers under Israeli occupying force protection. The extremist settlers entered Joseph's Tomb, provoking Palestinian residents to protest. Israeli occupying forces fired rubber-coated metal bullets and tear gas canisters at the residents and arrested two young Palestinians, 16 and 21 years old. In addition to the violence, Israeli occupying forces destroyed 15 structures in the Wadi al-Maleh area, north of the Jordan Valley, that were used by Bedouin residents of the area, displacing three families, Israeli occupying forces demolished a 60 square metre structure, bulldozing the land and uprooting the trees in the Silwan neighbourhood of occupied East Jerusalem and displacing the Abbasi family. On 20 August 2013, Israeli occupying forces demolished two sheds and four rooms owned by

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Mohammad and Mahmoud Bani Odeh in the village of Froosh Beit Dajan, east of Nablus, and, on 19 August 2013, Israeli occupying forces demolished 11 dwellings of the Ka'abneh bedouins in Beit Hanina, north of Jerusalem, displacing 53 residents. Also, on 21 August 2013, Israeli occupying forces used bulldozers to raze large areas of privately owned Palestinian land in the al-Wara area of Einabus village, south of Nablus. This illegal stealing of private Palestinian property is preparation for expanding the Israeli settlement of "Yitzhar", illegally constructed on village land. These deplorable and illegal actions, aided and abetted by Israel, the occupying Power, must cease or risk further dissipation of a peaceful two-State solution.

As the Assistant Secretary-General for Political Affairs stated to the Security Council on 20 August, "The position of the United Nations on settlements being against international law remains firm. Furthermore, settlement activity deepens mistrust, undermines efforts to advance peace and will ultimately render a two-State solution impossible." The Palestinian leadership has remained steadfast in its commitment to the two-State solution and the resumption of negotiations for the long-overdue peace desired by the Palestinian and Israeli peoples alike and by the greater international community. Sadly, the continuation of Israel's illegal settlement campaign, a grave breach of international law, implies a forfeiture of Israel's claim to a genuine and good faith negotiation of the two-State solution. Israel must be held accountable for its illegal policies and practices. We thus reiterate our call on the international community to exert the needed efforts to ensure compliance by Israel with its obligations under international law, which is essential for ensuring serious direct negotiations between the parties towards achievement of the long-standing objectives of the peace process based on the relevant United Nations resolutions, the Madrid principles, the Arab Peace Initiative and the Quartet road map.

The present letter is in follow-up to our previous 470 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 13 August 2013 (A/ES-10/600-S/2013/487), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the
State of Palestine to the United Nations

United Nations A/ES-10/602–S/2013/509

General Assembly
Security Council

Distr.. General
28 August 2013

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-eighth year

Identical letters dated 26 August 2013 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

It is with great sadness that I draw your attention to the terrorizing actions by the Israeli occupying forces being committed against the Palestinian civilian population, especially with regard to today's killings of Palestinian civilians, in the Qalandiya refugee camp. Additionally, it is with deep dismay that we have learned of the approval of more illegal settlements in the Occupied Palestinian Territory, including East Jerusalem, the area constituting the State of Palestine. Israel, the occupying Power, has yet again, arrogantly and spitefully, taken unilateral actions jeopardizing the prospects for peace at this critical juncture in the negotiating process, where the international community has witnessed once again Israel's policy of occupation, death and destruction rather than of upholding international law.

During the wee hours of the morning on Monday, 26 August 2013, Israeli occupying forces raided the Qalandiya refugee camp in East Jerusalem. The raid was conducted using unmarked vehicles, and Israeli occupying forces disguised themselves in civilian garb. The purpose of the raid, according to the occupying Power, was to detain a former Palestinian prisoner, Yousef Al-Khatib, for questioning. They raided a civilian home, alarming and terrifying camp residents and awakening them and causing them to take to the streets in concern. As a result of this traumatic arrest procedure, three Palestinians were shot and killed and at least 15 were injured, six of whom are in critical condition. Robeen Zayed, age 34, an employee of the United Nations Relief and Works Agency for Palestine Refugees in the Near East was shot in the chest, dying instantly; Yunis Jameel Jahjouh, age 22, was shot in the chest and killed as well; and Jihad Aslan, age 20, was pronounced dead after being declared brain dead. This deplorable and inhuman procedure for arresting Palestinian civilians is unacceptable, as evident in the unwarranted deaths and injuries it has caused.

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In addition to the recent Palestinian civilian killings, Israel, the occupying Power, has approved additional illegal settlements. Yesterday, the Jerusalem City Council approved plans to construct 1,500 settlement units for illegal Israeli settlers in occupied East Jerusalem, the capital of the State of Palestine. The construction of these 1,500 units in the illegal settlement of "Ramat Shlomo" will expand this settlement further towards the Palestinian town of Shu'fat, causing the confiscation of 580 dunams of Palestinian land. These Israeli settlement activities are illegal and a flagrant breach of all legal norms, including international law, relevant United Nations resolutions, the Rome Statute of the International Criminal Court and the road map obligation to freeze all settlement activities.

We condemn in the strongest terms these aggressions and crimes committed against the Palestinian people. All these deplorable actions continue to fuel tensions and further destabilize the situation on the ground and heighten pessimism around the negotiating process and the questioning of true intentions. Further, the aggression against the Qalandiya refugee camp resulted in the consequential cancellation of Palestinian-Israeli peace talks today. It is troubling that as we take a step forward in the peace process, Israel, the occupying Power, takes several steps back.

Stressing the importance of this critical time in the peace process, we renew our call upon the international community to exert pressure on Israel, the occupying Power, to stop killing Palestinian civilians and to cease all illegal settlement activity. Further, we renew our call upon the international community, including all relevant organs of the United Nations, particularly the Security Council, to condemn these Israeli crimes against the Palestinian people. We also call on the Secretary-General to use his good offices, in particular after his recent successful visit to the State of Palestine, to make clear to Israel that it can no longer speak about peace while simultaneously destroying it, confiscating Palestinian land and killing Palestinians.

The present letter is in follow-up to our previous 471 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 23 August 2013 (A/ES-10/601-S/2013/505) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations